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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF	:	
PATRICE CAILLAT, ET AL.	:	EXAMINER: CHAKRABARTI, A. K.
SERIAL NO: 09/868,043	:	
FILED: JUNE 14, 2001	:	GROUP ART UNIT: 1634
FOR: BIOCHIP PRODUCTION METHOD AND BIOCHIP	:	

SUPPLEMENTAL REMARKS

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Advisory Action dated July 16, 2003 and concurrent with the Request for Continued Examination filed hereto, Applicants request entry of the amendments filed June 25, 2003 and reconsideration in light of the remarks filed therein as well as the following remarks.

Remarks begin on page 2 of this paper.

REMARKS

Claims 27-54 are active in this application.

As discussed previously, the present invention is not described in the prior art cited by the Examiner because this prior art does not describe *the deposition of a resin layer* that then allows for the formation of a structured substrate comprising a plurality of microcavities or a method of forming the same.

In maintaining the prior art rejections, the Examiner has alleged that "Teoule clearly teaches depositing a resin that can be used for the formation of a structured substrate comprising a plurality of microcavities." As alleged support for this conclusion, the Examiner has cited col. 4, lines 21-33 and Figures 4A-B and Example 4. However, there is not, in fact, any description for the deposition of a resin layer as in the present claims.

Reproduced below is col. 4, lines 21-33 of Teoule:

> Advantageously, at least one step of one or other of the variants of the process in accordance with the invention involves at least one electrochemical reaction. This electrochemical copolymerization is advantageously carried out on an electrode surface; at the end of the reaction, an electrode whose surface consists of a copolymer in accordance with the invention is thereby obtained.
>
> For example, in order to carry out the first variant of the process in accordance with the invention, the step for the preparation of the copolymer of general formula (II) and/or the step for binding of the group of general formula (III) may be carried out by electrochemical reaction; in the second variant, step b) is advantageously carried out by electrochemical copolymerization of the compound (IV) with the monomers A.
>
> The electrochemical copolymerization is, for example, carried out by cyclic voltammetry, by subjecting the mixture ›(IV):A! to electrical potential variations which are sufficient to bring about the polymerization by a successive oxidation and reduction; since the polymer formed is conductive, the oxidation-reduction cycle may be repeated several times.

There is no description for depositing a resin layer in this reproduced text.

Similarly, Figures 4A-B "show a schematic representation of an electropolymerization cell (A) and cyclic voltammetry curves (intensity as a function of the potential) over 12 polymerization cycles (B)." (col. 2, lines 22-25). Again, no description of depositing a resin layer is identified here.

Example 4, in column 11, describes depositing pyrrolic compounds onto a support. However, this is not depositing a resin layer as claimed.

As noted in Applicants June 25, 2003 filing, as Teoule fails to describe depositing a resin layer, the present claims are not anticipated by Teoule. Applicants further remarks serve to illustrate the advantages of the blank biochip according to the present invention relative to the Teoule devices.

As discussed in Applicants' previous remarks, Livache is similar to Teoule and as a result. Livache does not describe a resin layer as in the present claims.

In view of the above, the rejections under 35 U.S.C. § 102(b) over Teoule or Livache are untenable and should be withdrawn.

Allowance of this application is requested.

Respectfully submitted,

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